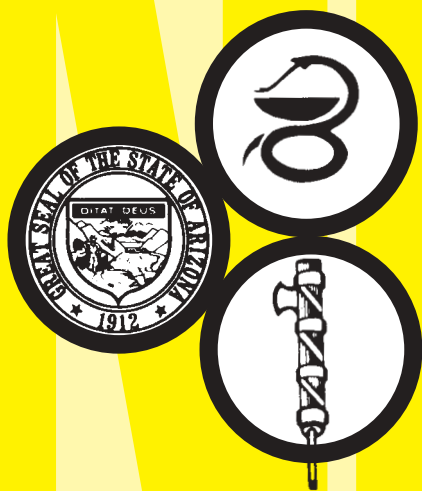


January 2004



Arizona State Board of Pharmacy

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Board Staff Losing a Long-term High Performer

The Arizona State Board of Pharmacy office is announcing the retirement of a long-time staff member. As always, this is a bittersweet time, a time of mixed emotions. We are sad to lose a valuable employee, but happy that the employee is able to retire comfortably and enjoy life. Patty Roy is retiring after 10 years of exemplary service with the Board offices, both in Phoenix and Glendale. Most pharmacists and interns licensed in the past 10 years are very familiar with Patty, as she assisted them in obtaining licensure in Arizona. Patty started at the Phoenix Board office building as a drug inspector and was responsible for inspecting non-prescription retailers in central and southern Arizona. After a year and a half, Patty moved into the office and was promoted to exam supervisor. In this position she was in charge of pharmacist licensure, both via reciprocity and by full North American Pharmacist Licensure Examination™. Patty is looking forward to spending more time with her grandson Brent. She will definitely not miss her daily round-trip commute from Florence to Glendale. We will miss her.

The Board has also enjoyed the contributions and perspectives provided by Long Nguyen, a senior pharmacy student from the College of Pharmacy at Midwestern University of Glendale who participated in a five-week administrative rotation at the Board office during November and December 2003.

Compounding Versus Manufacturing

Occasionally the Board staff needs to remind practitioners of basic definitions important to contemporary pharmacy practice. Recently, the Board instructed the compliance officers to inspect for compliance with the basic definition of pharmacy compounding in Arizona. The official definition of compounding in Arizona is published in Arizona Revised Statutes §32-1901:

“Compounding” means the preparation, mixing, assembling, packaging or labeling of a drug by a pharmacist or an intern or pharmacy technician under the pharmacist’s supervision, for the purpose of dispensing to a patient based on a valid prescription order.

Compounding includes the preparation of drugs in anticipation of prescription orders prepared on routine, regularly observed prescribing patterns and the preparation of drugs as an incident to research, teaching or chemical analysis or for administration by a medical practitioner to the medical practitioner’s patient and not for sale or dispensing.

Compounding does **not** include the preparation of commercially available products from bulk compounds or the preparation of drugs for sale to pharmacies, practitioners or entities for the purpose of dispensing or distribution.

Administrative Rules – Pharmacy Technicians and Technician Trainees

The Board office is answering numerous telephone inquiries about the progress on the licensing of pharmacy technicians in Arizona. The rules are expected to be finalized sometime after a public hearing at 10 AM on January 5, 2004, at the Board of Pharmacy offices in Glendale. The latest version of the rules eliminates the ratio that limits the number of pharmacy technicians to pharmacists that has been in place for more than 20 years in Arizona. Please plan to attend if you wish to comment on the final rules. The Board office will also mail out a notice to all current pharmacies in Arizona containing the official notice of hearing and listing the time and place of the public hearing on these important, long-awaited rules.

Generic Substitution and the FDA ‘Orange Book’

A.R.S. §32-1963.01 (L) (3) states:

“Generic equivalent” or **“generically equivalent”** means a drug which has an identical amount of the same active chemical ingredients in the same dosage form, which meets applicable standards of strength, quality and purity according to the United States [P]harmacopeia or other nationally recognized compendium and which, if administered in the same amounts, will provide comparable therapeutic effects. Generic equivalent or generically equivalent does not include a drug that is listed by the federal [F]ood and [D]rug [A]dministration (FDA) as having unresolved

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bioequivalence concerns according to the administration's most recent publication of approved drug products with therapeutic equivalence evaluations ([otherwise] known as the ["Orange Book"]). The Orange Book or another reference that reproduces the information contained in the Orange Book is required by administrative rule to be present in every pharmacy's reference library by rule R4-23-612(9)(d). Generic substitution with unapproved products by pharmacists is a violation of the Arizona Pharmacy Act and may result in discipline.

Disciplinary Actions

Board of Pharmacy

James Rehovsky – The pharmacist's license was suspended for 90 days and placed on probation for one year after the suspension. Pharmacist must also enroll in and pass a Board-approved compounding course and a Board-approved pharmacy management course. The pharmacist was also fined a total of \$2,000. Compounded prescription medication errors.

Martin Rosoff – The pharmacist's license was placed on probation for six months and fined \$500. Improper return of dispensed prescription medication to active pharmacy stock.

The Apothecary Shop – The pharmacy permit was placed on probation for six months and will be inspected four times during the term of probation at the expense of the permittee. The pharmacy will provide the Board with a quality assurance program for all the firm's pharmacies in Arizona.

Other Health Care Practitioner Boards

Lionel Resnick, MD – license revoked August 4, 2003.

Anthony Doke, MD – license revoked August 18, 2003.

Bipinchandra Jadau, MD – license revoked August 15, 2003.

Tracy L. Little, MD – license voluntarily surrendered September 11, 2003.

Martin A. Meyers, MD – prohibition on prescribing for prescription medications August 2, 2003.

James W. Lohman, MD – license voluntarily surrendered October 10, 2003.

Kerwin, J. Lebeis, MD – prohibition on prescribing pharmacological agents October 10, 2003.

Frederick Cohn, MD – license voluntarily surrendered October 10, 2003.

Donald R. Schieve, MD – license suspended 12 months October 10, 2003.

Richard Marcello, MD – license inactivated August 15, 2003.

Victor Boucher, MD – license voluntarily surrendered August 15, 2003.

Ethan O. Kennedy, DO – summarily suspended September 26, 2003.

Eugene Pardi, DO – summarily suspended October 27, 2003.

Notice: Before making a prescription-dispensing or other decision pursuant to information in this *Newsletter*, you are encouraged to verify the current condition of a license with the appropriate licensing agency (Board).

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